

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE MIDDLE DISTRICT OF ALABAMA  
NORTHERN DIVISION

ORLANDO LEE UPSHAW, # 247061,	)	
	)	
Petitioner,	)	
	)	
v.	)	Civil Action No. 2:09cv280-TMH
	)	(WO)
J.C. GILES, <i>et al.</i> ,	)	
	)	
Respondents.	)	

**ORDER**

On June 13, 2011, the Magistrate Judge issued a Recommendation (Doc. 16) to which no timely objections were made. Upon an independent review of the record and upon consideration of the Recommendation of the Magistrate Judge, it is the ORDER, JUDGMENT and DECREE that:

1. The Recommendation (Doc. 16) is ADOPTED.
2. The petition for habeas corpus relief filed by Upshaw is DENIED.
3. This case is DISMISSED with prejudice.

DONE this 9th day of August, 2011.

/s/ Truman M. Hobbs

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SENIOR UNITED STATES DISTRICT JUDGE